

No. 14-19-00154-CR

In the
Court of Appeals
for the
Fourteenth District of Texas
at Houston

FILED IN
14th COURT OF APPEALS
HOUSTON, TEXAS
5/8/2019 11:53:29 AM
CHRISTOPHER A. PRINE
Clerk

No. 1527611

In the 208th District Court
Harris County, Texas

THE STATE OF TEXAS

State

V.

JOHN WESLEY BALDWIN

Appellee

APPELLEE'S FIRST MOTION FOR EXTENSION OF TIME
WITHIN WHICH TO FILE APPELLATE BRIEF

TO THE HONORABLE COURT OF APPEALS:

APPELLEE, pursuant to **TEX. R. APP. P.** 10.1, 10.5(b) and 38.6(d), moves for an extension of time within which to file its appellate brief. In support of its motion, appellant submits the following:

1. Appellant is charged with capital murder. Appellee filed a motion to suppress. The motion was granted and the court signed the order on January 11, 2019.
2. Notice of appeal was filed on January 31, 2019.
3. Appellant filed its brief was due on April 15, 2019.
4. Counsel seeks an extension until June 10, 2019, to file his brief. For good cause, counsel shows the following:
 - a. Counsel was preparing for and in trial on the capital murder of *State v. Chavez* in Chambers County.
 - b. Counsel was preparing pleadings in anticipation of her client, Dexter Johnson's, execution on May 2, 2019.
 - c. Counsel filed a Petition for Discretionary Review in *Phuthavong v. State*.
 - d. Appellant's motion is not for purposes of delay, but so that justice may be done.

WHEREFORE, appellant prays that this Court will grant the requested extension.

Respectfully submitted,

/s/MANDY MILLER

Attorney for appellant

2910 Commercial Center Blvd., Ste. 103-201

Katy, TX 77494

SBN 24055561

PHONE (832) 900-9884

FAX (877) 904-6846

mandy@mandymillerlegal.com

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing instrument has been delivered via electronic mail to the following address on May 8, 2019:

Travis Dunlap
Harris County District Attorney's Office
dunlap_travis@dao.hctx.net

/s/MANDY MILLER
Attorney for appellant
2910 Commercial Center Blvd., Ste. 103-201
Katy, TX 77494
SBN 24055561
PHONE (832) 900-9884
FAX (877) 904-6846
mandy@mandymillerlegal.com